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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,007	10/14/2003	Mark E. Ramsey	GRD0245.US	4298

7590 06/30/2004  
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EXAMINER

HAMMOND, BRIGGITTE R

ART UNIT PAPER NUMBER

2833

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/685,007

10/685007

Applicant(s)

KAMATA, YOSHIHIKO

Examiner

Brigitte R. Hammond

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-13 and 15-19 is/are rejected.
- 7) ☐ Claim(s) 6 and 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/14/03</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-5, 7-13 and 15-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Rupert 6,717,053. Regarding claim 1, Rupert discloses a workstation assembly 10, comprising: a worksurface 14 having opposite sides; and an electrical workstation module 120, including a housing 122 having a mounting surface adjacent one said side of said worksurface; at least one modular electrical component 32 carried by said housing; an adjustment element 80 connected to said housing; and a bracket 22 connected with said adjustment element, said bracket having a compressive surface 78 adjacent an other said side of said worksurface and facing said mounting surface, said compressive surface movable in directions toward and away from said mounting surface using said adjustment element.

Regarding claim 10, Rupert discloses an electrical workstation module, comprising: a housing having a mounting surface; at least one modular electrical component 32 carried by said housing; an adjustment element 80 connected to said housing; and a bracket 22 connected with said adjustment element, said bracket having a compressive surface 78 adjacent facing said mounting surface, said compressive

surface movable in directions toward and away from said mounting surface using said adjustment element.

Regarding claim 18, Rupert discloses a method of mounting an electrical workstation module to a worksurface, comprising the steps of: placing an electrical workstation module against the worksurface, said electrical workstation module including a housing having at least one modular electrical component 32, an adjustment element 80 connected to said housing and a movable bracket 78 connected to said adjustment element; moving said movable bracket relative to said housing; and compressing at least a portion of said worksurface between said bracket and said housing.

Regarding claim 2, said movable bracket is connected to said worksurface, see col. 3, lines 45-50.

Regarding claims 3 and 11, said housing includes a shaped slot 58, said movable bracket includes a shaped segment, said shaped segment located in said shaped slot.

Regarding claims 4 and 12, said adjustment element includes a knob, a threaded element connected to said knob and a flange connected to said threaded element.

Regarding claims 5 and 13, said housing includes a cover 28.

Regarding claims 7 and 15, said electrical component is a power receptacle 32.

Regarding claims 8 and 16, said bracket 22 is movable relative to said housing.

Regarding claims 9, 17 and 19, said bracket is configured for mounting said electrical workstation module in a slotted mounting.

***Allowable Subject Matter***

Claims 6 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: regarding claims 6 and 14, patentability resides, at least in part in the workstation assembly having a knob disposed between the housing and the cover, in combination with the other limitations of the base claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brigitte R. Hammond whose telephone number is 571-272-2006. The examiner can normally be reached on Mon.-Thurs. and Alternate Fridays from 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A Bradley can be reached on 571-272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brigitte R. Hammond

A handwritten signature in black ink, appearing to read "Brigitte Hammond", written over a horizontal line.

June 25, 2004